

HB 2112 A STAFF MEASURE SUMMARY

Carrier: Rep. Hartman

House Committee On Rules

Action Date: 02/09/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 7-0-0-0

Yeas: 7 - Breese-Iverson, Fahey, Kropf, Nosse, Scharf, Valderrama, Wallan

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 1/26, 2/9

WHAT THE MEASURE DOES:

Makes consistent the purposes and values in statute for retention of public records as "legal, administrative, fiscal, tribal cultural, historical or research." Removes references to obsolete technology and changes "analog or digital audio and video tape" to "audio recording and video recording."

ISSUES DISCUSSED:

- Addition of tribal cultural values to record retention considerations
- Including research in listed values

EFFECT OF AMENDMENT:

Restores "research" to purposes and values in statute for retention of public records.

BACKGROUND:

A public record is statutorily defined as any information that:

- is prepared, owned, used, or retained by a state agency or political subdivision;
- relates to an activity, transaction, or function of a state agency or political subdivision; and,
- is necessary to satisfy the "legal, administrative or historical policies, requirements or needs" of the state agency or political subdivision.

Each state agency or political subdivision is required to maintain a public record or accurate copy of the public record, regardless of the technology or medium used to create or communicate the record, in accordance with a retention schedule authorized by statute ([ORS 192.018](#), [ORS 192.105](#) and [192.108](#)) if the public record has certain values or purposes.

House Bill 2112 A adds tribal cultural purposes to considerations in appraising records for retention, makes the records retention purposes and values consistent across various statutes, and updates references to obsolete technology.